

TO: James L. App, City Manager
FROM: Ron Whisenand, Community Development Director
SUBJECT: Request for Covered Walkway
DATE: May 16, 2006

Needs: That the City Council consider a request to allow continued placement and use of a temporary wood walkway at 1315 Spring Street.

Facts:

1. Norm Bridge, owner of the property at 1315 Spring Street, was forced to demolish his building as a result of damage caused by the earthquake in December, 2003.
2. In conjunction with the demolition Mr. Bridge placed a temporary wooden covered walkway along the frontage of the property for safety of the public.
3. At their meeting of June 21, 2005, where demolition of the damaged structure was considered, the City Council “directed that if the time frame between the completion of demolition and the beginning of construction exceeds six months that the temporary pedestrian path must be set back to the property line”. The demolition was complete on October 21, 2005.
4. In accordance with Council direction, the wood walkway should have been moved to the property line on April 19, 2006.
5. Mr. Bridge has submitted a letter requesting an extension to the encroachment permit for the covered walkway while his building plans are under review.

**Analysis
and**

Conclusion: The presence of the covered walkway at 1315 Spring Street results in the loss of downtown parking and an inconvenience to pedestrians and vehicles. The City also received numerous complaints regarding aesthetics and lack of maintenance of the wood structure. A building permit for new construction was applied for on January 30, 2006. Plans were returned to the applicant for correction on February 22, 2006. The City received revised plans on May 5, 2006. Actual construction may still be months away.

Policy

Reference: Paso Robles Municipal Code Section 11.12.060

Fiscal

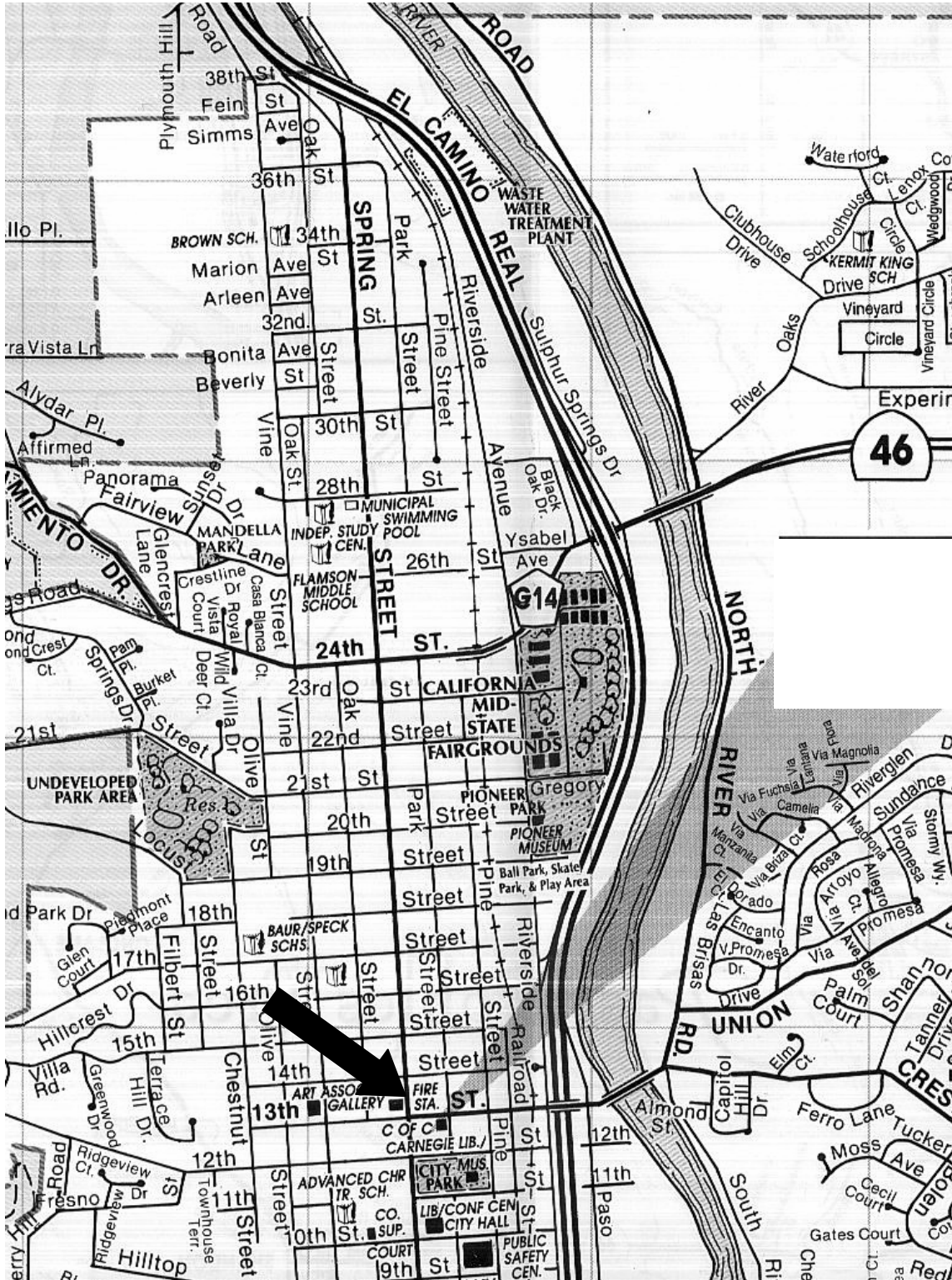
Impact: None.

- Options:**
- a. That the City Council adopt Resolution 06-xx denying the request for extension of Encroachment Permit No. 04-063 for a covered walkway at 1315 Spring Street, and direct the applicant set the pedestrian path back to the property line no later than June 15, 2006.
 - b. That the City Council amend, modify or reject the above option.

Attachments: (4)

- 1) Vicinity map.
- 2) Encroachment Permit No. 04-063
- 3) Letter From Norm Bridge Dated 4-27-06
- 4) Resolution.

VICINITY MAP
1315 Spring Street
Norm Bridge





City of Paso Robles
Department of Public Works

ENCROACHMENT PERMIT

CALL U.S.A. 48 HOURS BEFORE YOU DIG
5-25-04 1-800-227-2600

Contractor: Don Thiessen Construction Date: 5-25-04

Business Address: 1525 Peachy Canyon Phone: 805 238 4404

City, State Zip: Paso Robles CA 93446 Fax: 805 238 7495

City Business License #: 04-5477 State License #: 429381 Class: B

Owner: Don Thiessen

Job Location: 1315 Spring Project Number (if applicable): _____

Estimated Start Date: May 26, 2004

Estimated Completion Date: Nov. 2004

Permission is granted to work within the public right-of way for the construction of the following improvements:

Pedestrian walkway as approved by Council. Due to eqp. Damage per attached plans

SPECIAL CONDITIONS: _____

The undersigned applicant/permittee agrees that the work will be done in accordance with and subject to this permit's terms and conditions, the State Vehicle Code, the State Streets & Highways Code and is subject to inspection.

Signature of Applicant (Permittee)

Signature of Authorizing Engineer

____ Applicant Initials (indicates receipt of the attached "Encroachment Permit General Provisions".)

BOND AMOUNT \$ 0

Check No. _____

Quake related
CONTACT CY BORNER, SR
ENG. INSPECTOR
2 237-3860 24 HRS
PRIOR TO & DURING ALL PHASES OF

CONSTRUCTION

**** YOU MUST CALL FOR INSPECTION UPON COMPLETION OF THE PROJECT ****
(805) 227-7223

Reference your Permit Number when requesting inspection

FINAL INSPECTION BY: _____

DATE: _____

May 2, 2006

City of Paso Robles
Community Development Engineering Div.
1000 Spring St.
Paso Robles, Ca. 93446

Mr. John Falkenstien
City Engineer

Re: Encroachment Permit # 04-063

Dear Sir,

We received your letter dated, April 27th. 2006, advising us that the encroachment permit has expired and that we must remove the pedestrian walkway in front of 1315 Spring St. by May 26th. 2006.

Mr. Ralph McCarthy, our Architect, has informed us that the plans for the new structure are ready to re-submit to the City for approval this week.

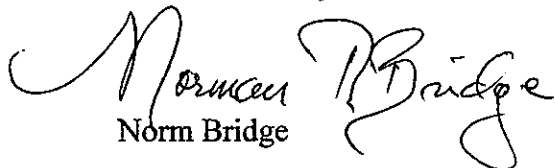
All corrections made from our first submittal are completed. On approval by the City Engineers, our construction should soon begin.

It has been an extensive financial loss to us for 29 months without income and paying storage on our merchandise and equipment anticipating re-opening our store.

We are asking the Council to please consider extending our encroachment permit and **allow us to leave the pedestrian walkway where it is, rather than having to move or remove it** and having to construct another shortly thereafter as required when construction begins. This would be another substantial financial burden for such a short duration.

We could give you a starting date for re-construction of the building as soon as we have approval of our plans.

Thank You for your consideration,


Norm Bridge

Subject: Action Req (construction walkway on Spring)

From: Robert Behlendorf [mailto:robert.behlendorf@gmail.com]

Sent: Monday, May 08, 2006 10:47 AM

To: John Falkenstien

Subject: Re: FW: Action Req (construction walkway on Spring)

John:

Thank you for your prompt response to my request. I won't be in town on May 16 otherwise I would certainly attend the City Council meeting. If the structure is allowed to stand, then at least it should be painted. It is a sad comment on our society that stuff like this is allowed to go on forever.

Thanks

Bob Behlendorf bob@behlendorf.com

On 5/8/06, **John Falkenstien** <JFalkenstien@prcity.com> wrote:

Bob

The permit for this structure expired on April 21. The property owner has requested an extension of time. This issue will be discussed by the City Council at their meeting of May 16.

JF

-----Original Message-----

From: Robert Behlendorf [mailto:bob@behlendorf.com]

Sent: Monday, May 08, 2006 1:06 AM

To: PublicWorks

Subject: Action Request (General)

Below is the result of your feedback form. It was submitted by Robert Behlendorf (bob@behlendorf.com) on Monday, May 8, 2006 at 01:06:22

Address: 7755 Airport Road

DayPhone: 805-674-0616

EvePhone: same

Location: Spring St, between 11th and 12th

Description: The construction wooden walkway that was erected during the demolition of the building that contained the Sportsman's Den among others is a blight on the City. It should have been removed at property owner expense long ago. Please tell me the status.

Thanks

FollowUp: Email

05/08/2006

RESOLUTION NO. 06-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
DENYING A REQUEST FOR AN EXTENSION OF AN ENCROACHMENT PERMIT
FOR THE COVERED SIDEWALK AT 1315 SPRING STREET (BRIDGE)

WHEREAS, Norm Bridge, owner of the property at 1315 Spring Street, was forced to demolish his building as a result of damage caused by the earthquake in December, 2003; and

WHEREAS, in conjunction with the demolition Mr. Bridge placed a temporary wooden covered walkway along the frontage of the property for safety of the public; and

WHEREAS, at their meeting of June 21, 2005, the city Council directed that if the time fame between the completion of demolition and beginning of construction exceeds six months that the temporary pedestrian path must be set back to the property line; and

WHEREAS, the demolition was complete on October 21, 2005; and

WHEREAS, Mr. Bridge has requested an extension of the encroachment permit for the covered walkway; and

WHEREAS, the City Council finds that the covered walkway located along the property frontage at 1315 Spring Street results in a loss of downtown parking and presents an inconvenience to pedestrians and motorists.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED as follows:

SECTION 1. The City Council of the City of El Paso de Robles does hereby deny the request of Mr. Bridge to extend the encroachment permit for the covered walkway at 1315 Spring Street and directs Mr. Bridge to remove the covered walkway within 30 days of the date of this resolution.

PASSED AND ADOPTED by the City Council of the City of El Paso de Robles this 16th day of May 2006 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Frank R. Mecham, Mayor

ATTEST:

Cathy M. David, Deputy City Clerk